

# COTTONWOOD HEIGHTS

## RESOLUTION NO. 2021-38

### A RESOLUTION APPROVING AN AMENDMENT TO THE CITY MANAGER'S EMPLOYMENT AGREEMENT

**WHEREAS**, on 4 May 2004, the citizens of the area of Salt Lake County known as Cottonwood Heights voted to incorporate such area as a municipality operating under the council-manager form of government described in the "Optional Forms of Municipal Government Act" under then current UTAH CODE ANN. §10-3-1201 *et seq.* (the "*Act*"); and

**WHEREAS**, the city of Cottonwood Heights (the "*City*") was incorporated effective 14 January 2005; and

**WHEREAS**, in May 2008, the Act was repealed except for municipalities, like the City, then operating under the council-manager form of government, as provided in UTAH CODE ANN. §10-3b-103(6);

**WHEREAS**, on 25 September 2018, the City's city council (the "*Council*") unanimously selected **B. Tim Tingey** ("*Mr. Tingey*") as the City's manager, based solely on his abilities, integrity, prior experience relating to the duties of office (including, without limitation, abilities in public administration and executive leadership) and managerial capabilities; and

**WHEREAS**, Mr. Tingey's appointment as the City's manager was formalized pursuant to an employment agreement (the "*Agreement*") with Mr. Tingey dated 15 October 2018; and

**WHEREAS**, because the Agreement will terminate by its own terms on 14 October 2021, the parties desire to amend the Agreement to extend its term and to make other changes and, to that end, have prepared a proposed amendment (the "*Amendment*") incorporating those changes to the Agreement; and

**WHEREAS**, on 3 August 2021, the Council met in regular session to consider, among other things, approving the City's entry into the Amendment; and

**WHEREAS**, the Council has reviewed the form of the Amendment, a photocopy of which is annexed hereto as an exhibit; and

**WHEREAS**, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the City's residents to approve the City's entry into the Amendment as proposed;

**NOW, THEREFORE, BE IT RESOLVED** by the city council of the city of Cottonwood Heights that the Amendment is hereby approved, and that the City's mayor and recorder are authorized and directed to execute and deliver the Amendment on behalf of the City.

This Resolution, assigned no. 2021-38, shall take effect immediately upon passage as provided herein.

**PASSED AND APPROVED** this 3<sup>rd</sup> day of August 2021.

**ATTEST:**

By:   
Paula Melgar, Recorder



**COTTONWOOD HEIGHTS CITY COUNCIL**

By:   
Michael J. Peterson, Mayor

**VOTING:**

Michael J. Peterson	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Douglas Petersen	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
J. Scott Bracken	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>
Tali C. Bruce	Yea	<input type="checkbox"/>	Nay	<input type="checkbox"/>
Christine Watson Mikell	Yea	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>

**DEPOSITED** in the office of the City Recorder this 3<sup>rd</sup> day of August 2021.

**RECORDED** this 9 day of August 2021.